

REMARKS

The Office Action dated September 12, 2007, has been reviewed. Claims 1, 18, 26 and 39 have been amended, and claim 3 has been cancelled. The pending claims are claims 1-2, 4-27, 29-33, 35-37, and 39-43. Reconsideration and withdrawal of the pending rejections are respectfully requested.

Claim Amendments

Claims 1, 18, and 26 were amended to recite that the electrically insulative layer (or material in claim 26) includes a multilayer optical film. Support for these amendments can be found, e.g., in the Specification at page 5, lines 18-22.

Claim 39 was amended to depend from Claim 35.

No new matter has been added.

The 35 U.S.C. § 102(e) Rejection

Claims 1, 3-11, 16, 18-24, 26-27, 29-30, 33, and 40-43 were rejected under 35 U.S.C. § 102(e) as being anticipated by Sugimoto et al. (U.S. Patent No. 6,874,910). Applicants traverse this rejection; however, to further move this application towards allowance, Applicants have amended independent claims 1, 18, and 26.

Applicants submit that claims 1, 4-11, 16, 18-24, 26-27, 29-30, 33, and 40-43 are not anticipated by Sugimoto et al. because such reference does not teach each and every element of these claims. For a claim to be anticipated under 35 U.S.C. § 102(e), each and every element of the claim must be found in a single prior art reference. *See* M.P.E.P. § 2131.

For example, independent claims 1, 18, and 26 each recite that the electrically insulative layer (or material) includes a multilayer optical film.

In contrast to claims 1, 18, and 26, the portions of Sugimoto et al. that were relied upon by the Office Action do not disclose that the alleged electrically insulative layer (i.e., insulating member 14) can include a multilayer optical film. Because Sugimoto fails to teach each and every element of amended independent claims 1, 18, and 26, such claims are novel over Sugimoto et al.

Claims 4-11, 16, 19-24, 27, 29-30, 33, and 40-43, which depend from one of independent claims 1, 18, and 26, are novel over Sugimoto et al. for the same reasons as presented above for independent claims 1, 18, and 26. In addition, claims 4-11, 16, 19-24, 29-30, 33, and 40-43 each recite elements that further support patentability when combined with one of claims 1, 18, or 26.

For at least the above reasons, Applicants submit that claims 1, 4-11, 16, 18-24, 26-27, 29-30, 33, and 40-43 are novel over the cited reference. Reconsideration and withdrawal of the pending rejections are respectfully requested.

The 35 U.S.C. § 103(a) Rejections

Claims 2, 25, and 31-32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sugimoto et al. in view of Matsui et al. (U.S. Patent Pub. No. 2003/0052594). Applicants traverse this rejection and submit that claims 2, 25, and 31-32 are not *prima facie* obvious because the combination of Sugimoto et al. and Matsui et al. does not teach or suggest all of the elements of claims 2, 25, and 31-32.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art references must teach or suggest all the claim limitations. See M.P.E.P. § 2143.

Claims 2, 25 and 31-32 depend from one of amended independent claims 1, 18 or 26. As stated above regarding the 35 U.S.C. § 102(e) rejection of claims 1, 18, and 26, Sugimoto et al. does not teach all of the elements of such claims. The addition of Matsui et al. does nothing to cure the deficiencies already present in Sugimoto et al. In addition, claim 2, 25 and 31-32 each recite additional elements that further support patentability when combined with one of claims 1, 18 or 26.

For at least the above reasons, Applicants submit that claims 2, 25, and 31-32 are patentable over the cited references. Reconsideration and withdrawal of the pending rejection are respectfully requested.

Claims 12-15 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sugimoto et. al. Applicants traverse this rejection and submit that claims 12-15 and 17 are not *prima facie* obvious in view of Sugimoto et al. because such reference does not teach all of the elements of claims 12-15 and 17.

Claims 12-15 and 17 depend from amended claim 1. As stated above, Sugimoto et al. does not teach all of the elements of claim 1. In addition, claims 12-15 and 17 each recite additional elements that further support patentability when combined with claim 1.

For at least the above reasons, Applicants submit that claims 12-15 and 17 are patentable over Sugimoto et al. Reconsideration and withdrawal of the pending rejection are respectfully requested.

Claims 35-37 and 39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wada Kazunobu (FR 2662896) in view of Whitehead (U.S. Patent No. 5,661,839). Applicants traverse this rejection and submit that claims 35-37 and 39 are not *prima facie* obvious because there is no motivation to modify the teachings of Kazunobu with those of Whitehead to produce the invention as recited in claims 35-37 and 39.

For example, independent claim 35 in part recites a flexible layer of electrically insulative material that includes an at least partially reflective multilayer optical film. As admitted by the Office Action, Kazunobu does not teach an electrically insulative material that includes an at least partially reflective multilayer optical film; however, the Office Action alleges that it would have been obvious to one of ordinary skill in the art to form the insulating material of Kazunobu from the at least partially reflective multilayer optical film allegedly disclosed in Whitehead to obtain efficient, uniform emission of diffuse light. Applicants traverse this alleged motivation.

One of skill in the art would not be motivated to use a partially reflective multilayer optical film for the insulating material 41 of Kazunobu to obtain efficient, uniform emission of diffuse light as is alleged because such light would be reflected back toward plastic barrier 14 and rear plate 15 due to the orientation of the alleged LEDs 16 and 17 and insulating material 41 (As stated in the Response filed September 25, 2006, Applicants submit that the unit 16 and circuit 17 of Kazunobu are not LEDs as alleged). In other words, a reflective insulative material 41 would only direct light into the back of the unit taught by Kazunobu where it would in turn be

absorbed and/or reflected by the rear plate 15 towards the insulating material 41. The light reflected by the insulating material 41 would not be directed towards a viewer of the disclosed unit. Because there is no motivation to combine the teachings of Kazunobu with those of Whitehead, claim 35 is not *prima facie* obvious in view of such references.

Claims 36-37 and 39, which depend from claim 35, are patentable over Kazunobu in view of Whitehead for the same reasons as presented above. In addition, claims 36-37 and 39 each recite additional elements that further support patentability when combined with claim 35.

For at least the above reasons, Applicants submit that claims 35-37 and 39 are patentable over the cited references. Reconsideration and withdrawal of the pending rejections are respectfully requested.

Summary

It is respectfully submitted that the pending claims are in condition for allowance. Reconsideration and withdrawal of all rejections are respectfully requested. The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

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Date

Respectfully submitted,

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